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In re Application of :  
Wang, et al. : DECISION ON APPLICATION  
Application No. 09/804,625 : FOR PATENT TERM ADJUSTMENT  
Filed: March 09, 2001 :  
Atty. Dkt. No: 08702.0039-02000 :

This is a decision on the "APPLICATION FOR PATENT TERM ADJUSTMENT 37 CFR § 1.705(b)," filed March 12, 2007.

The application for patent term adjustment ("PTA") under 37 CFR 1.705(b) is hereby **GRANTED**.

Applicants argue that the patent term adjustment accorded the instant application was improperly reduced 98 days.

The correct patent term adjustment (PTA) at the time of the allowance is 98 days. The Office will adjust the PAIR screen to reflect that the PTA determination at the time of mailing of the instant letter reflects an adjustment of 98 days. A copy of the updated PAIR screen showing the correct determination is enclosed.

Applicants argue that the application is entitled to an adjustment of 340 days in connection with the mailing of the restriction requirement on April 14, 2003, rather than 278 days as previously accorded.

A review of the record reveals that applicants are correct. The application is entitled to an adjustment of 340 days in accordance with 37 CFR 1.702(a)(1) in connection with the mailing of the restriction requirement. The adjustment began May 10, 2002, the day after the date that is 14 months after the date that the application was filed, and ended April 14, 2003, the date that the restriction requirement was mailed. See, 37 CFR 1.703(a)(1).

Applicants have not contested the adjustment of 21 days accorded under 37 CFR 1.702(a)(2) in connection with the mailing of the non-final Office action on November 3, 2003 nor have applicants

contested any of the reductions accorded for applicants' failure to engage in reasonable efforts to conclude prosecution.

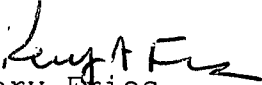
Accordingly, at the time of allowance, the application is entitled to an adjustment of 98 days (the adjustment totaling 361 days having been reduced 263 days), as argued by applicants.

The Office hereby acknowledges receipt of the required \$200.00 patent term adjustment application fee.

The patent term adjustment indicated in the patent will include any additional patent term accrued pursuant to §§ 1.702(a)(4) and 1.702(b).

The application file is being forwarded to the Office of Patent Publication for issuance of a patent.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

  
Kery Fries  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy

Enclosure: Copy of Adjustment PAIR Calculation

Day : Monday  
Date : 8/27/2007**PALM INTRANET**

Time: 14:59:33

**PTA Calculations for Application: 09/804625**

Application Filing Date:	03/09/2001	PTO Delay (PTO):	299
Issue Date of Patent:		Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	263
Post-Issue Petitions:	0	Total PTA (days):	98
PTO Delay Adjustment:	62		

**File Contents History**

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75	01/22/2007	ISSUE REVISION COMPLETED			
74	01/22/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
73	01/22/2007	CASE DOCKETED TO EXAMINER IN GAU			
72	01/22/2007	NOTICE OF ALLOWABILITY			
71	11/20/2006	PARALEGAL TD ACCEPTED			
70	11/19/2006	DATE FORWARDED TO EXAMINER			
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61	11/16/2005	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
60	11/28/2005	DATE FORWARDED TO EXAMINER			
59	11/16/2005	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
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57	11/16/2005	REQUEST FOR CONTINUED EXAMINATION (RCE)		91	49
56	11/28/2005	DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)			

55	11/16/2005	REQUEST FOR EXTENSION OF TIME - GRANTED			
54	11/16/2005	WORKFLOW - REQUEST FOR RCE - BEGIN			
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52	09/16/2005	ADVISORY ACTION (PTOL-303)			
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46	03/30/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		36	43
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42	03/07/2005	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
41	02/04/2005	MAIL NOTICE OF INFORMAL OR NON-RESPONSIVE AMENDMENT			
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39.1	11/22/2004	INFORMAL OR NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION			
39	11/22/2004	RESPONSE AFTER NON-FINAL ACTION			
38	11/22/2004	WORKFLOW INCOMING AMENDMENT IFW			
37	11/19/2004	MAIL NON-FINAL REJECTION			
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35	09/18/2004	DATE FORWARDED TO EXAMINER			
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32	09/09/2004	WORKFLOW INCOMING AMENDMENT IFW			
31	05/17/2004	MAIL NOTIFICATION OF TERMINAL DISCLAIMER - ACCEPTED			
30	05/17/2004	MAIL NON-FINAL REJECTION			
29	05/17/2004	NON-FINAL REJECTION			
28	03/11/2004	IFW AMENDED CASE PROCESSING COMPLETE			
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24	02/09/2004	TERMINAL DISCLAIMER FILED			
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17	04/14/2003	MAIL SUPPLEMENTAL RESTRICTION / ELECTION REQUIREMENT			
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10	03/09/2001	PRELIMINARY AMENDMENT			
9	02/25/2002	CASE DOCKETED TO EXAMINER IN GAU			
8	02/05/2002	APPLICATION DISPATCHED FROM OIPE			
7	01/15/2002	APPLICATION IS NOW COMPLETE			
6	01/14/2002	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
5	06/12/2001	CORRESPONDENCE ADDRESS CHANGE			
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3	05/02/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
2	03/28/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	03/09/2001	INITIAL EXAM TEAM NN			

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### EXPLANATION OF PTA CALCULATION

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